

REMARKS

The application has been reviewed in light of the Office Action dated January 2, 2009.

The Office Action requires restriction to one of the following groups of claims:

Group I, claims 1-24; and

Group II, claims 25-32.

Applicant hereby elects Group I, claims 1-24 with traverse.

Traversal is on the grounds it is believed restriction is inappropriate for several reasons. The Office Action asserts that the common technical feature between Group I and Group II are metal salts. The Office Action points to U.S. Patent 4,855,118 to Ichinose et al. as showing a process for manufacturing nanoparticulate fluoroapatite. The Office Action concludes that the common technical feature between Group I and Group II is not a special technical feature, and thus the Groups lack unity. Applicant respectfully disagrees.

The present process relates to a water-free process (e.g., see claim 1: oxidizing in a high temperature environment), where the thus obtained metal salts are water-free.

In contrast, Ichinose et al. relates to the manufacture of metal salts using a wet process (e.g., see claim 1, step (c) of Ichinose et al.) In Ichinose et al., the obtained salts will always contain water.

Accordingly, the special technical feature linking Group I and Group II may be seen in nanoparticulate metal salts which are water-free. Such metal salts are not taught or suggested by Ichinose et al.

Reconsideration of the restriction requirement and examination of all claims on the merits are respectfully requested.

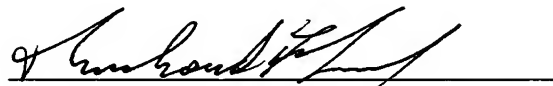
The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this response and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard F. Jaworski', is written over a horizontal line.

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